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Commissioner For Patents, P.O. Box 1450, Arlington, VA  
22313-1450 on 5/17/04

*Jeffrey V. Bamber*  
Jeffrey V. Bamber

Case

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
**CLAIRE E. BAMBER, ET AL.** :  
Serial No. 10/780,312 : Group Art Unit: 2681  
Confirmation No. 9732 :  
Filed: February 17, 2004 : Examiner:

For:	PERSONAL COMMUNICATION SYSTEMS
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO-1449 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO-1449 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed. It is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311 as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p).

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_, filed \_\_. Applicants claim priority to

said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☐ (2) Copies of the cited documents are enclosed.

OR

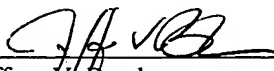
☒ (3) Copies of all said documents, except document No.'s 2003/0157958 A1 and Non-Patent reference #'s 5 and 6, were submitted and considered in parent application U.S. Patent Application Serial No. 10/368,905, filed February 18, 2003. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s US 6,212,414 B1 and Non-Patent reference #'s 1-4 are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s 2003/0157958 A1 and Non-Patent reference #'s 5 and 6 are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is on the attached page, except where a full English language translation is provided.

☒ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page, the copies of which are attached.

☒ Additional information is attached.

Respectfully submitted,

By   
Jeffrey V. Bamber  
5023 Village Drive  
Cincinnati, OH 45244  
Attorney for Applicant  
Registration No. 31,148  
(513) 271-7742

May 15, 2003

### PRIOR PUBLICATIONS AND PRACTICES OF OTHERS

The comic strip, DICK TRACY (Chicago Tribune Media Services; originator Chester Gould; Dick Locher and Michael Kilian thereafter), illustrated various inventions relating to communication systems worn on the comic strip character's wrist. According to the website [www.comicspage.com/dicktracy/inventions](http://www.comicspage.com/dicktracy/inventions), these included: a two-way wrist radio in 1946; a two-way wrist TV in 1964; and a two-way wrist computer in 1986.

It was known for more than one year before the filing date of the provisional patent application to which the present application claims priority, for people to hold their hand in a configuration with their thumb extending upward by their ear and their pinkie finger extending outward by their mouth as a signal for calling someone on the telephone.

### **CO-PENDING U.S. APPLICATIONS**

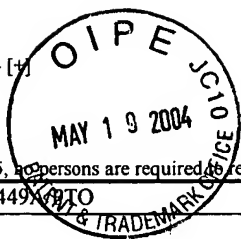
Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>	<u>Publication No.</u>
10/368,905	Bamber	2/18/2003	US 2003/0157958 A1*

\* Copy provided in the form of published application.

[Only applications that remain pending at the time of submitting this IDS should be listed here. For applications in which patents have issued, the granted patents should be listed on Form PTO/SB08.]

Please type a plus sign (+) inside this box → [ ]



PTO/SB08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031  
Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449X PTO		COMPLETE IF KNOWN	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/780,312
		Confirmation Number	9732
		Filing Date	February 17, 2004
		First Named Inventor	Claire E. Bamber
		Group Art Unit	2681
		Examiner Name	
SHEET 1 of 1	Attorney Docket Number		

### U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	U.S. PATENT DOCUMENT Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		6,212,414 B1		Alameh, et al.	04-03-2001	
		2003/0157958	A1	Bamber	08-21-2003	

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENT Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
	1	AUTHOR UNKNOWN, "Designers Get a Handle on Wrist Communicator", <a href="http://www.fox19.com">www.fox19.com</a> , October 28, 1999, CMP Media, Inc., published on internet.	
	2	AUTHOR UNKNOWN, "Wireless Earset with Bluetooth Technology Lets You Make Crystal Clear Calls in Your Car – Safely and Inconspicuously", Herrington Catalog, Spring 2003, Herrington Catalog Company, Londonderry, NH, U.S.A.	
	3	AUTHOR UNKNOWN, "Voice Gear", Verizon Wireless mailer, prior to March 31, 2003, Verizon Wireless, Bedminster, NJ, U.S.A. <sup>1</sup>	
	4	AUTHOR UNKNOWN, "The Only 2-Way Radio Wristwatch", Hammacher Schlemmer Catalog, Father's Day 2003 (approx. May, 2003), Hammacher Schlemmer & Co., Inc., Fairfield, OH, U.S.A.	
	5	AUTHOR UNKNOWN, Products, <a href="http://www.smartplanet.net">www.smartplanet.net</a> , August 26, 2003, Smart Planet, Agoura Hills, CA, USA.	
	6	AUTHOR UNKNOWN, "Small is Beautiful (and now mobile). Presenting the Siemens® Slider", Best Buy Wireless Shopping Guide, December, 2003, Cincinnati Enquirer newspaper, Cincinnati, OH, USA.	

<sup>1</sup>This type of device may have been available for more than a year prior to the filing date of the provisional patent application to which the present application claims priority.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.